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MASS. CALLS ON E.P.A. TO REDUCE MERCURY POLLUTION FROM MIDWEST

***Joins Other New England States and New York in Plan to Eliminate Local Sources, But Notes
that Fish Won't Be Safe to Eat until National Standards Are Stricter***

BOSTON – Governor Deval L. Patrick and Secretary of Energy and Environmental Affairs Ian A. Bowles today joined the governors and environmental protection commissioners of the five New England states and New York in calling on the U.S. Environmental Protection Agency (EPA) to do more to control mercury pollution that blows into the Northeast from coal-fired power plants in the Midwest and elsewhere in the nation.

High mercury levels in fish have been detected throughout the Northeast region, necessitating public health warnings not to consume freshwater fish caught in local waters. Despite plans to reduce local sources of mercury pollution to nearly zero, Northeast states will be unable to lift public health warnings not to consume freshwater fish caught in local waters without stricter national standards imposed on upwind sources of mercury.

“Mercury pollution is a problem in Massachusetts and our neighboring states,” said Governor Patrick. “Even low levels can have serious health consequences for our children. We are doing our part to address the problem, but we can’t do it alone. EPA needs to step up, cut the mercury pollution coming our way from the Midwest, and help protect our waters and our citizens.”

Mercury accumulates in fish flesh and, when consumed, is especially toxic to the developing brain. Throughout the Northeast, elevated levels of mercury in freshwater fish have required state fish consumption advisories covering more than 10,000 lakes, ponds, and reservoirs, and over 46,000 miles of rivers. Across New England, more than 15,000 newborns are exposed to unsafe levels of mercury each year, primarily due to their mother’s consumption of contaminated fish.

For the first time, Northeast states are linking violation of Clean Water Act standards to EPA’s authority under the Clean Air Act to control mercury emissions. These states have submitted to EPA a cleanup plan, called the “Northeast Regional Mercury Total Maximum Daily Load”

(TMDL), as part of the states' Mercury Action Plans. This plan, which is among the most aggressive mercury pollution reduction efforts in the world, targets a 75 percent reduction in mercury emissions by 2010 and virtual elimination of mercury pollution in the region thereafter.

The New England Governors and the Governor of New York are leading the country in controlling mercury pollution. State mercury reduction programs and regulations far exceed federal requirements and have met with great success. Northeast states have reduced mercury emissions from sources in the region by greater than 55 percent overall, with many states exceeding 70 percent reduction since 1998.

New England states are now eliminating unnecessary uses of mercury through mercury products legislation, strict regulations on power plant emissions, and actions to reduce mercury wastewater discharges from dental offices and other facilities. These actions will advance the goal of eliminating mercury pollution sources in the Northeast region.

Despite these efforts, mercury levels in fish are still too high to permit human consumption. Since more than 70 percent of the mercury impacting New England is currently imported from upwind air pollution sources, the states will not be able to solve this problem without stronger federal regulations.

“In order for our lakes and ponds to be restored completely, mercury pollution in New England – which comes mostly from out-of-region sources – must be reduced by 86 to 98 percent,” said Secretary Bowles. “The EPA needs to make sure that the mercury reduction efforts in the Northeast region are matched in states across the country.”

The current EPA Clean Air Mercury Rule will control mercury pollution from coal-fired power plants by only about 70 percent and not until after 2020. The rule also allows for pollution trading, which can contribute to mercury “hot spots.” In contrast, Northeast states are requiring that 90-95 percent mercury control be achieved by 2012, without trading.

Submittal of the Northeast Regional Mercury TMDL to EPA occurs shortly after the 35th anniversary of the Clean Water Act, and signals the need for recognition that comprehensive strategies to control pollution must impact both air and water. The TMDL also demonstrates the need for stricter national controls on cross-state air pollution to protect air and water quality of downwind states.

“Our waters will never be clean unless we acknowledge that, in the 21st century, solutions can only be found across state and regional borders,” said Laurie Burt, Commissioner of the Department of Environmental Protection. “To control mercury in Massachusetts waters, we need strict national standards on emissions into Midwest air.”

The mercury TMDL is a calculation of the maximum amount of mercury that a water body can receive and still have fish that is safe to eat. Under the Clean Water Act, EPA has 30 days from the states' TMDL submittal to approve the plan or disapprove it and set its own limits.

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